

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**Eastern Division**

PENNYMAC LOAN SERVICES, LLC,  
  
Plaintiff,

CIVIL ACTION  
**Case No: 2:19-cv-00193-KS-MTP**

-VS-

SITCOMM ARBITRATION  
ASSOCIATION, MARK MOFFETT,  
SANDRA GOULETTE, RONNIE  
KAHAPEA, MARK JOHNSON, KIRK  
GIBBS, and ALARIC SCOTT,

**APPLICATION TO CLERK  
FOR ENTRY OF DEFAULT  
RE: SITCOMM  
ARBITRATION  
ASSOCIATION AND  
SUPPORTING AFFIDAVIT**

Defendants.

**APPLICATION TO CLERK FOR ENTRY OF DEFAULT RE: SITCOMM  
ARBITRATION ASSOCIATION AND SUPPORTING AFFIDAVIT**

The Clerk is requested to enter default against defendant Sitcomm  
Arbitration Association (“Defendant”) in the above entitled action for failure to  
otherwise defend this matter as set forth in the affidavit attached hereto as Exhibit  
“1”.

Dated: January 31, 2020

Respectfully submitted,

/s/Cheryl S. Chang  
Cheryl S. Chang (admitted *pro hac vice*)  
Nicole Bartz Metral (admitted *pro hac vice*)  
Jessica A. McElroy (admitted *pro hac vice*)

BLANK ROME LLP  
2029 Century Park East, 6th Floor  
Los Angeles, California 90067-2907  
Telephone: 424.239.3400  
Facsimile: 424.239.3434

Harris F. Powers III  
Steven C. Cookston

Upshaw, Williams, Biggers & Beckham,  
LLP  
309 Fulton Street  
Post Office Drawer 8230  
Greenwood, MS 38935-8230  
Telephone No.: 662-455-1613

*Counsel for Plaintiff*

## **Exhibit 1**

**AFFIDAVIT OF CHERYL S. CHANG**

**STATE OF CALIFORNIA**

**COUNTY OF LOS ANGELES**

Cheryl S. Chang (“Chang”) being fully sworn, deposed, and says:

1. That she is one of the attorneys of record for plaintiff PennyMac Loan Services, LLC (“PennyMac”) and has personal knowledge of the facts set forth in this Affidavit.

2. That defendant Sitcomm Arbitration Association’s (“Defendant”) agent for service of process was duly served with a Summons and Complaint on December 23, 2019, according to the Summons and Proof of Service attached hereto and incorporated herein as Exhibit A.

3. That more than 21 days have elapsed since the date of service of process.

4. That Defendant has failed to answer or file some other appropriate pleading with the United States District Court for the Southern District of Mississippi, Eastern Division, in response to PennyMac’s Complaint, or serve a copy of any answer or other defense which it might have upon the undersigned attorney of record for PennyMac.

5. That this Affidavit is executed by affiant herein in accordance with Rule 55(a) of the Federal Rules of Civil Procedure, for the purpose of enabling PennyMac to obtain an entry of default against Defendant for failure to answer or otherwise defend as to PennyMac’s Complaint.

Executed this 31st day of January, 2020, at Los Angeles, California.

/s/ Cheryl S. Chang  
Cheryl S. Chang

## **Exhibit A**

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**  
for the  
SOUTHERN DISTRICT OF MISSISSIPPI (EASTERN DIVISION)

PENNYMAC LOAN SERVICES, LLC

*Plaintiff(s)*

v.

SITCOMM ARBITRATION ASSOCIATION, MARK  
MOFFETT, SANDRA GOULETTE, RONNIE  
KAHAPEA, MARK JOHNSON, KIRK GIBBS, and  
ALARIC SCOTT

*Defendant(s)*

Civil Action No. 2:19-CV-00193-KS-MTP

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

SITCOMM ARBITRATION ASSOCIATION  
c/o Wyoming Registered Agent  
1621 Central Ave  
Cheyenne, WY 82001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Harris F. Powers III (Bar No. 100331)  
Upshaw, Williams, Biggers & Beckham, LLP  
309 Fulton Street, P.O. Drawer 8230,  
Greenwood, MS 38935-8230

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: \_\_\_\_\_

DEC 17 2019



ARTHUR JOHNSTON  
CLERK OF COURT

*Signature of Clerk or Deputy Clerk*



AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**  
for the  
**SOUTHERN DISTRICT OF MISSISSIPPI (EASTERN DIVISION)**

PENNYMAC LOAN SERVICES, LLC*Plaintiff(s)*

v.

SITCOMM ARBITRATION ASSOCIATION, MARK  
MOFFETT, SANDRA GOULETTE, RONNIE  
KAHAPEA, MARK JOHNSON, KIRK GIBBS, and  
ALARIC SCOTT*Defendant(s)*

Civil Action No. 2:19-CV-00193-KS-MTP

**SUMMONS IN A CIVIL ACTION**To: *(Defendant's name and address)*

SITCOMM ARBITRATION ASSOCIATION  
c/o Wyoming Registered Agent  
1621 Central Ave  
Cheyenne, WY 82001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Harris F. Powers III (Bar No. 100331)  
Upshaw, Williams, Biggers & Beckham, LLP  
309 Fulton Street, P.O. Drawer 8230,  
Greenwood, MS 38935-8230

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



ARTHUR JOHNSTON  
CLERK OF COURT

Signature of Clerk or Deputy Clerk

Date: \_\_\_\_\_

DEC 17 2019



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:19-CV-00193-KS-MTP

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) SITCOMM ARBITRATION ASSOCIATION  
was received by me on (date) 12/20/2019.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Rose Garcia, Wyoming Registered Agents secretary, who is  
designated by law to accept service of process on behalf of (name of organization) \_\_\_\_\_  
Wyoming Registered Agent, Agent for Service of Process  
1621 Central Ave., Cheyenne, WY 82001 on (date) 12/23/2019 @ 12:12 p.m.; or


☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: 12/31/2019

  
\_\_\_\_\_  
Server's signature

George Gliem, Wyoming Process Server  
\_\_\_\_\_  
Printed name and title

ASAP Legal, LLC  
1607 James M. Wood Blvd., Los Angeles, CA 90015  
(213) 252-2000 [32076524.rxc]

\_\_\_\_\_  
Server's address

Additional information regarding attempted service, etc:

**LIST OF DOCUMENTS SERVED:**

(1) SUMMONS IN A CIVIL ACTION; (2) COMPLAINT



**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is **BLANK ROME LLP**, 2029 Century Park East, 6<sup>th</sup> Floor, Los Angeles, California 90067.

On **January 31, 2020**, I served the foregoing document(s):

**APPLICATION TO CLERK FOR ENTRY OF DEFAULT RE: SITCOMM  
ARBITRATION ASSOCIATION AND SUPPORTING AFFIDAVIT**

on the interested parties in this action addressed and sent as follows:

**SEE ATTACHED SERVICE LIST**

- ☒ **BY ENVELOPE:** by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope(s) addressed as indicated and delivering such envelope(s):
- ☒ **BY MAIL:** I caused such envelope(s) to be deposited in the mail at Los Angeles, California with postage thereon fully prepaid to the office or home of the addressee(s) as indicated. I am “readily familiar” with this firm’s practice of collection and processing documents for mailing. It is deposited with the U.S. Postal Service on that same day, with postage fully prepaid, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.
- ☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on **January 31, 2020**, at Los Angeles, California.

/s/ Hannah No

Hannah No

**SERVICE LIST**

*Pennymac Loan Services, LLC v. Sitcomm Arbitration Association, et al.;*

Case No. 2:19-cv-00193-KS-MTP

Sitcomm Arbitration Association c/o Wyoming Registered Agent 1621 Central Ave Cheyenne, WY 82001 USA	Defendant
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Ronnie Kahapea 11-2808 Kaleponi Drive Volcano, HI 96785	Defendant
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Mark Johnson 451 May Lane Louisa, VA 23093	Defendant
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Kirk Gibbs 4041 Liberty Hill Drive Norcross, GA 30093	Defendant
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Alaric Scott 304 S. Jones Blvd., Ste. 1967 Las Vegas, NV 89107	Defendant
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Sandra Goulette 3007 Crescent Hill Drive Laurel, MS 39440	Defendant
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Mark Moffett 3007 Crescent Hill Drive Laurel, MS 39440	Defendant
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